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DE RUEHML #2366/01 2940937  
ZNR UUUUU ZZH  
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FM AMEMBASSY MANILA  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 2111  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE  
RUEHLO/AMEMBASSY LONDON IMMEDIATE 3479  
RHHMUNA/CDRUSPACOM HONOLULU HI IMMEDIATE  
RUEAWJB/DEPT OF JUSTICE WASHINGTON DC IMMEDIATE  
RUEHC/DEPT OF LABOR WASHDC IMMEDIATE

UNCLAS SECTION 01 OF 02 MANILA 002366

SENSITIVE  
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STATE FOR G/TIP, EAP/MTS, EAP/RSP, INL, DRL  
LABOR FOR ILAB  
JUSTICE FOR CRIMINAL DIVISION  
STATE PASS TO USAID

E.O. 12958: N/A  
TAGS: [PHUM](#) [KCRM](#) [KWMN](#) [EAID](#) [RP](#)  
SUBJECT: ZAMBOANGA COURT CONVICTS HUMAN TRAFFICKER

REF: A. MANILA 02324 (MANILA AIRPORT OPENS NEW SHELTER)  
[1](#)B. MANILA 02035 (STAKEHOLDERS UNITE AGAINST HUMAN  
TRAFFICKING)

[1](#)1. (SBU) SUMMARY: A Zamboanga City municipal trial court on October 14 sentenced a human trafficker to 30 years in prison for the 2004 trafficking and illegal recruitment of two women, adding a fine of \$41,300 (1.9 million pesos). This decision represents the tenth conviction under the 2003 Anti-Trafficking in Persons Law and the fourth successful anti-trafficking prosecution in Zamboanga. The convicted trafficker, working with two others, had tricked three women to travel with her to Sandakan, Malaysia, where they were forced to work in a nightclub. The victims eventually escaped back to Zamboanga, where two of them filed charges. The City of Zamboanga, a launch pad for traffickers to Malaysia and beyond, has been at the forefront in the fight against trafficking, benefiting from the support of U.S. grant recipients in trafficking awareness training for public officials. The city has two dedicated prosecutors who focus exclusively on trafficking cases, leading the city to account for one-third of trafficking convictions nationwide under the 2003 law. END SUMMARY.

#### ZAMBOANGA CONVICTS ITS FOURTH TRAFFICKER

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[1](#)2. (SBU) A Zamboanga City municipal trial court sentenced a human trafficker on October 14 to 20 years in prison for trafficking and an additional 10 years for illegal recruitment, with respective fines of \$26,100 and \$15,200 (1.2 million pesos and 700,000 pesos). This decision represents the second trafficking conviction in the Philippines in 2008, the tenth conviction nationwide under the 2003 Anti-Trafficking in Persons law, and the fourth such conviction in Zamboanga. In June 2004, three traffickers offered Brunei sales jobs to three Zamboanga City residents, who were instead trafficked to Sandakan, Malaysia, and forced to work in a nightclub. One of the victims was released shortly after arrival because she was considered over-age. A second victim escaped with the help of a family member residing in Sandakan, while the third victim was "purchased" by a British national for \$2,300 (8,000 ringgits) and forced to live with him. Several months later, with her passport and Malaysian immigration entry stamp about to expire, the British man allowed her to travel back to Zamboanga to renew her paperwork, but she did not return.

[1](#)3. (SBU) Zamboanga prosecutors filed a case in July 2005 against two recruiters: Edwina Guarin, who was convicted, and her sister, Charito Rebollos, who is still at large and has a

pending warrant of arrest. The victims were unable to identify the third trafficker, who also remains at large. The prison sentence for Rebollos, while lengthy at 30 years, was not a life sentence because the crime did not amount to "qualified trafficking." To meet this higher threshold, there must be additional circumstances such as minor victims, three or more victims, or three or more traffickers (a syndicate), none of which existed in this case. During the three-year trial, the victims resided with their families and did not require witness protection, although the Zamboanga prosecutor's office was prepared to provide it. The third victim decided not to participate in the case.

#### VICTIMS WERE COLLEGE GRADUATES

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¶4. (SBU) Unlike many other Filipina trafficking victims, the two women who testified in this case were college graduates, and one of them had a job at a pharmacy. However, like other victims, they were tempted under false pretenses by the prospect of better economic opportunities abroad. The recruiters had offered them \$650 a month (30,000 pesos), far more than they could hope to earn in Zamboanga in other professions. That these educated women fell prey to trafficking reflects not only the powerful allure of overseas employment, but also the ongoing shortage of jobs with decent pay, even in the relatively prosperous city of Zamboanga.

#### HOW TO BE SUCCESSFUL IN COURT

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¶5. (SBU) Zamboanga's Third Assistant City Prosecutor noted

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that five key factors contributed to success in this trial. With regard to process, close coordination among the various justice sectors, as well as awareness of the law among law enforcement and prosecution officials, established solid grounds for the case to go to trial. In addition, the victims' resolve and courage to pursue their traffickers was a key factor in the trial's outcome. The relatively speedy trial took only three years from start to finish, considered fast in the Philippines' inefficient justice system, a reflection of the prosecution's preparedness and thorough presentation of testimonial and documentary evidence. Finally, financial assistance through a government program enabled the victims to participate in each stage of the trial.

¶6. (SBU) The City of Zamboanga has benefited from U.S. government grants to the anti-trafficking NGO Visayan Forum Foundation, which operates a halfway house in the city and has conducted anti-trafficking training and awareness programs with local government partners, including prosecutors and port officials. These programs have contributed to an increasing level of awareness within the justice system that creates the conditions for successful trafficking prosecutions. There are, at present, three ongoing trafficking trials in Zamboanga courts in which the prosecutors have rested their cases and the defense is presenting arguments. Prosecutors are hopeful these trials will result in more convictions. Meanwhile, city officials are expanding their potential array of legal weapons. On October 16, city officials held a third public hearing on the creation of a local ordinance on human trafficking.

KENNEY